



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11+

Application Number

10/731,173

Filing Date

December 8, 2003

First Named Inventor

Shawn W. O'Driscoll

Art Unit

3732

Examiner Name

Unknown

Attorney Docket Number

AMC 340US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | 1. PTO 1449 Form (4) |
| <input checked="" type="checkbox"/> Information Disclosure Statement (Third Supplemental) | <input type="checkbox"/> Request for Refund | 2. Copies of References (3) |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

James R. Abney

Date

January 9, 2006

Reg. No.

42,253

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Typed or printed name

Lisa Holstein

Date

January 9, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: January 9, 2006

SHAWN W. O'DRISCOLL and
DAVID G. JENSEN

Serial No. : 10/731,173

Group Art Unit 3732

Filed : December 8, 2003

Examiner Candice Capri Stokes

For : BONE PLATES

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Third Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Third Supplemental Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

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CONTENT OF DISCLOSURE

This Third Supplemental Information Disclosure Statement includes (1) four pages of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

European Patent No. EP 0415837 A2 - This document appears to disclose a bone fixation device, as illustrated in the figures.

TIMING OF DISCLOSURE / FEE INFORMATION

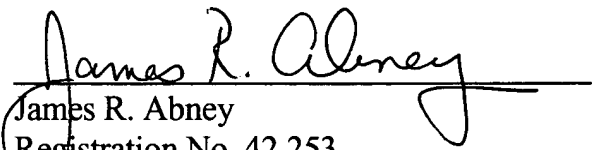
This Third Supplemental Information Disclosure Statement is being filed more than three months after the filing date of a national application or the date of entry of the national stage in an international application and after the mailing of a first Office action but, to the best of the undersigned's knowledge, before the mailing date of any of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application. Therefore, in accordance with 37 C.F.R. § 1.97(c)(2), attached herewith is a check for \$130 for payment of the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any

additional fees that may be required, or to credit any overpayment, to Account No. 11-1540. A duplicate copy of this sheet is enclosed.

Please contact the undersigned with any questions or comments regarding this Third Supplemental Information Disclosure Statement.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on January 9, 2006.


Lisa Holstein

SHEET 1 OF 4

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION	DOCKET NUMBER ACM 340US	APPLICATION NUMBER 10/731,173
	APPLICANT(S) Shawn W. O'Driscoll and David G. Jensen	
	FILING DATE December 8, 2003	GROUP ART UNIT 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	1,345,425	7/6/20	Wells			
	3,244,170	4/5/66	McElvenny			
	3,346,894	10/17/67	Lemelson			
	3,386,437	6/4/68	Treace			
	3,604,414	9/14/71	Borges			
	3,842,825	10/22/74	Wagner			
	4,119,092	10/10/78	Gil			
	4,750,481	6/14/88	Reese			
	4,903,691	2/27/90	Heinl			
	4,905,679	3/6/90	Morgan			
	5,021,056	6/4/91	Hofmann et al.			
	5,085,660	2/4/92	Lin			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
	EP 0415837 A2	3/6/91	Europe				X
	WO 03/105712 A2	12/24/03	WIPO			X	

OTHER DOCUMENTS

	Mifx Dorsal IM Plate, brochure, DVO Extremity Solutions, September, 2005.

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION			DOCKET NUMBER ACM 340US		APPLICATION NUMBER 10/731,173	
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	5,176,685	1/5/93	Rayhack			
	5,254,119	10/19/93	Schreiber			
	5,413,579	5/9/95	Du Toit			
	5,601,553	2/11/97	Trebing et al.			
	5,709,686	1/20/98	Talos et al.			
	5,722,978	3/3/98	Jenkins, Jr.			
	5,951,557	9/14/99	Luter			
	5,968,046	10/19/99	Castleman			
	6,004,353	12/21/99	Masini			
	6,007,535	12/28/99	Rayhack et al.			
	6,027,504	2/22/00	McGuire			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
EXAMINER				DATE CONSIDERED		

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	6,093,188	7/25/00	Murray			
	6,129,730	10/10/00	Bono et al.			
	6,159,213	12/12/00	Rogozinski			
	6,322,562	11/27/01	Wolter			
	6,623,486	9/23/03	Weaver et al.			
	6,689,139	2/10/04	Horn			
	6,730,091	5/4/04	Pfefferle et al.			
	6,821,278	11/23/04	Frigg et al.			
	6,955,677	10/18/05	Dahners			
	2002/0004660	1/10/02	Henniges et al.			
	2002/0128654	9/12/02	Steger et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
EXAMINER			DATE CONSIDERED			

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.	
	2002/0183752	12/5/02	Steiner et al.				
	2004/0102778	5/27/04	Huebner et al.				
	2005/0015089	1/20/05	Young et al.				
	2005/0085818	4/21/05	Huebner				
	2005/0165400	7/28/05	Fernandez				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO	
OTHER DOCUMENTS							
EXAMINER				DATE CONSIDERED			